

**Springerville Town Council  
Minutes  
February 4, 2004**

Present: Mayor Kay Dyson, Vice-Mayor Mary Nedrow, Mark Baca, Scott Cray

Absent: Ramon Castillo

Staff: Kurt Hassler Town Manager, Val Cordova Town Clerk, Ed Shields Finance Director

Public: Jeff Barbe, Roxanne Knight, Tonna Martin, Mike and Jean Dew, Gary Kiehne

**1. Call to Order**

Mayor Dyson called the meeting to order at 6:00 p.m.

**2. Pledge of Allegiance and Invocation**

The Pledge of Allegiance was led by Vice-Mayor Nedrow  
Invocation by Mayor Dyson.

**3. Public Participation**

Jeff Barbe said he is very concerned with the way the Council is spending money and would like to see the Council get more fiscally responsible in negotiating the tax payers dollars. He also expressed concern with the Council wanting to impose more taxes on the business owners as well as raising the water and sewer rates and with the purchase of a boring machine then a decision by Council to go out to contract. He said that it was time for them to stand up for the little guy.

Mike Dew addressed the Council. He too expressed his concern with raising taxes and businesses not being notified of what their plans are. He had a problem with the Council not going to each of the businesses to talk with them about what they intend to do and had a problem with the Town Managers salary increase.

He said that it was a slap in the face to give the kind of raise they gave to the manager. He stated that this raise was well beyond the guidelines of the League of Cities and Towns. He reiterated that it was a slap in the face when the Council sits there and say that they need to raise taxes then they turn around and spend the money freely. Mr. Dew reiterated that information is not being shared with the businesses and they are finding out after the fact when the businesses are this community.

Mayor Dyson responded to these comments. She stated that she has personally talked with businesses. There is no bed tax or hospitality tax proposed at this time. They listened to the people who came before them and have put this issue on hold. They will look at it again in six months to see if it will be an issue.

She then addressed the issue of the Managers salary increase. She explained that the Manager is doing two other jobs; engineering being one job, Planning and Zoning Administrator the other. Two full time jobs were eliminated because of this and we now have a part-time person, who does not receive benefits, for a savings of \$13,000 in benefits. The last Planning and Zoning person was paid \$32,000 plus the benefits package of \$13,000 for \$45,000. Mr. Hassler has saved the town \$70,000 in elimination of staff and paid benefits. She reiterated that Mr. Hassler currently has an assistant that is part-time without benefits. The Council looked at this and made a decision not to hire another full time person. "This was a money saving issue". Mr. Hassler is also doing mapping of the roads, water and sewer infrastructure and has 670 hours of uncompensated over time. They are compensating him for services. Mr. Hassler is the Town Manager, the Planning and Zoning Administrator and he is performing engineering functions as well.

Jeff Barbe commented that raising water rates, trying to raise taxes and the manager's salary at the same time was just bad timing. He said the next time the Council cries poverty he is going to be here looking and digging through things very carefully.

Mayor Dyson said they would welcome this. She also put to bed the rumor that in six months when they revisit the bed tax that they would impose a hospitality tax as well. All of the Council members agreed that these were just rumors.

**4. Manager, and Council Reports**  
Council Reports

Mayor Dyson reported that there would be Welcome Reception for all new comers including Bechtel, their subcontractors, new TEP personnel and anyone else. The reception will be on Tuesday, February 10<sup>th</sup> at the RVHS auditorium from 7:00pm until 9:00pm.

Wednesday February 11<sup>th</sup> is Legislative Day for Mayors, Managers and Council people from the White Mountains in Phoenix. Councilman Cray has stated that he will be attending as well as herself. They will be bringing up State Shared Revenues as well as disparity and AHCCC funding.

The Health Care District meeting will be in St. Johns on February 12<sup>th</sup> at the St. Johns Family Health Center at 5:00pm.

Councilman Cray reported he met with Rick Pinckard the Finance Director for the Town of Eagar regarding a grant they received for rehabilitating homes. There will be 26 homes with an average of \$7,500 per home for a total of \$180,000.

Mr. Hassler noted that we are currently working with the Town of Eagar on this program with the help of Sharon Pinckard. He noted that there is income criteria that has to be met as well as owning the property their home sits on.

Mr. Hassler reminded the Council that Dana Overson is handling the town's CDBG project and would know how many applications came in for the CDBG housing rehab. Mr. Hassler was asked to invite Ms. Overson to a meeting to give an update.

Town Managers Report:

Mr. Hassler asked if both Councilman Cray and Mayor Dyson would be present at the next meeting. Both Vice-Mayor Nedrow and Councilman Baca have advised him that they would be gone. A Board of Adjustment meeting has been scheduled for 5:30pm on the 18<sup>th</sup> prior to the regular meeting to hear a request for a variance set back. He said he would contact Councilman Castillo to see if he will be attending the meeting.

Councilman Cray stated that he would have to declare a conflict of interest for that issue.

Mr. Hassler said he would research this and report back to them. He also reminded the Council that there will be a Planning and Zoning work session on February 12<sup>th</sup> at 6:00pm at the senior center and would like to have the Council present. They will be discussing RV's and the Council's desires as to beefing up the zoning code regarding RV's. The 2<sup>nd</sup> item is the continuation of the Master Plan Update and Council input and asked for Council input he could relay to the Commission if they could not be there.

**5. Minutes :** Consider approval of the minutes from the town council meeting held on January 21, 2004.

Mayor Dyson noted that she had asked the clerk to make an addition to the minutes on Item 11 bullet point 5 regarding the manager's personal car usage. Council members have a copy of the minutes.

Motion by Councilman Cray/Mary Nedrow to approve the minutes with the amendments noted.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

6. **Minutes:** Consider approval of the minutes from the town council audit work session held on January 28, 2004.

Motion by Mary Nedrow/Mark Baca to approve the minutes of the January 28, 2004 work session.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

7. **Court Revenue Certification:** Consider approving the municipal court collections for 2002-2003 as per State law.

Motion by Councilman Cray/Mary Nedrow to approve the 2002-2003 court fee collection as presented by staff.

Edward Shields addressed the Council and noted that he was here in the capacity of a tax payer. Regarding the subject of the court collections. Mr. Shields cited several A.R.S Statutes as well as Articles from the Arizona Constitution, the US Constitution, the American Bill of Rights, 6<sup>th</sup> and 8<sup>th</sup> Amendments of the US Constitution and laws of the State of Arizona.

Councilman Cray stated that he dragged his feet long enough and they have been advised by the attorney to comply with the law. He voted against this the first two times and now is going to follow the law.

Mayor Dyson asked if there was a way to do this under protest, to pay this fee in such a way and cite all of the examples. She acknowledged that this had already been rescinded but felt that there had to be a way to do this under protest.

Mr. Hassler explained that per new state law the Council is required to pay for four quarters. We did not owe anything on the first quarter but this is the second quarter and we owe \$1,817.77.

He suggested sending a letter with our payment. He reminded the Council that all they are doing is ratifying last year's court collections. It is staffs job to follow the law and make the payment. The Council is not authorizing the payment just ratifying court collections for last year.

Vice-Mayor Nedrow stated that she had a motion on the floor and called for a vote.

Councilman Cray repeated his motion: To approve the 2002-2003 court fee collection as presented by staff.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

8. **ARIZONA STATE PARKS GRANT REQUEST:** Consider authorizing the Town Manager to submit a grant to the Arizona State Parks to continue with rehabilitation efforts on the old Springerville School.

Mr. Hassler advised the Council that there was no action to be taken on this item. In talking with the State Parks and to Mr. Jim Garrison at the SHPO office he has found that we cannot meet the first requirement set by the Arizona State Parks grant. It states we must spend 75% of the previous grant and also be reimbursed for 75% before March 31<sup>st</sup> before we can apply for a new grant. Mr. Garrison emphasized that they cannot lift this requirement.

As for the school, the first step is to take care of the deed restriction. The second step would be the structural engineering and to make those repairs which will take a while unless they hire a contractor. He asked the Council to allow him to set up a work session for March 10<sup>th</sup> to discuss the school; the next step will be to layout four or five steps that include time lines and duties.

Mayor Dyson explained the SHPO grant the town currently has. She also explained that they cannot apply for the next grant round because they cannot meet the current grant requirements. They would like to apply for \$100,000 on the next round and hope that the group can match with \$60,000. They will continue to work on the foundation, plaster, and painting then begin work on the roof if there is anything left.

She said she talked with Mr. Grady Gammage Jr. an attorney that specializes in historic old deed restrictions and he expressed to her that the town stands in a good position because it hasn't been a school for twenty years. Mr. Gammage is just one of two or three attorneys that we can ask for bids to clear up the deed restrictions.

Mr. Hassler said Mr. Gammage has offered to review the title and deed restrictions at no cost to the town and give us an opinion and the possible next step to take. He asked for a consensus to send the information to Mr. Gammage for his review. He will bring that information to the March 10<sup>th</sup> meeting for a decision on how to proceed. He said they would also tell us if we have any legal rights to go back against the title insurance company to take care of this issue.

The Council agreed that Mr. Hassler should take advantage of this.

8. **REQUEST FOR FUNDS:** Consider authorizing the Town Manager to make a payment to the Round Valley Show Choir for a competition.

Ms. Tonna Martin spokesperson for the Show Choir gave a short synopsis of the 32 students that make up the show choir. She explained that they are the only show choir in the State of Arizona invited to participate in the competition in Branson, Mo. The individuals are each responsible for a portion of the money they will need to get there as well as helping to raise the rest of the funds they will need. The cost per person is \$525.00 for this trip and each person has to earn \$300.00 for themselves. They have planned more fund raisers.

Motion by Scott Cray/Mary Nedrow to authorize the Town Manager to make a payment of \$500.00 to the Round Valley Show Choir out of the contributions line item of the Council budget.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

The Council asked Ms. Martin to see if they could perform at the reception on the 10<sup>th</sup>.

10. **POLICE VEHICLE:** Consider authorizing the Town Manager to purchase a truck for the police department.

Mr. Hassler explained that the police department would like a truck instead of a patrol car. He said Sergeant Gregory would get this vehicle while his present vehicle would be rotated down to one of the other officers. We have hired a new officer and will be short a vehicle. As emergency response vehicles we need to make sure that their vehicles are functioning at all times. We currently have one vehicle that was requiring high maintenance and is now out of commission.

This vehicle would be purchased from Salt Lake County. This pickup is a 2001 Ford F250 Super cab with 14,000 miles and still under warranty. A vehicle replacement schedule is being created so that we don't get into binds like this. The sergeants' current car will be rotated down to one of the officers and the car requiring a lot of maintenance will be put in an auction.

When asked if the vehicle was in the budget Mr. Hassler explained that it was originally in the police budget but he cut it back to the contingency budget. The money would have to come out of the LGIP account.

Motion by Mark Baca/Mary Nedrow to allow the Manager to purchase a 2001 Ford F-250 pickup at a cost not to exceed \$21, 775.00 for the replacement of a police vehicle.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

- 11. TAPE RECORDING POLICY:** Consider authorizing the Mayor to sign a policy regarding the retention of tape recordings of public meetings.

Mr. Hassler explained that this policy guides staff and citizens as to what we keep and don't. Based on space limitations we would like to get rid of tapes after that time but still retain them for a length of time if something is unclear and needs to be researched. The recommended length of time is 5 years for council meetings. Executive session tapes only until the minutes are transcribed. Planning and Zoning tapes 5 years and 3 years for other committees.

Motion by Mark Baca/Mary Nedrow to authorize the Mayor to sign the Tape Recording Policy as proposed by the Town Manager.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

- 12. CEMETERY POLICY:** Consider authorizing the Mayor to sign a policy regarding a new cemetery for the Town of Springerville.

Mayor Dyson explained that they want to have guidelines for burial and perpetual upkeep for a new cemetery.

Mr. Hassler stated that this policy was not for the existing cemetery.

This policy would be for a new cemetery. They are looking for a location to put a new cemetery and would like to be able to use this policy in looking for new site and contacting neighbors to show them what they would like in this cemetery. He reminded the Council that this is a policy and it can be changed.

1. There shall be no headstones that project above the level of the surrounding ground.
2. Memorials, flowers, mementos, etc. shall only be allowed one week prior and one week after the dates listed below. After the established time periods, town crews shall remove all items and promptly dispose of the items appropriately.
  - a. Easter
  - b. Memorial Day
  - c. July 4<sup>th</sup>
  - d. Veterans Day
  - e. Thanksgiving Day
  - f. Christmas Day
3. The cemetery will be irrigated and grass will be planted. Town crews will maintain the cemetery on a basis to be determined by the Public Works Director.

Vice-Mayor Nedrow said she would object to restricting flowers to only those days because it does not include birthdays.

Mr. Hassler explained that the intent is to be able to easily maintain it. They would not be mowing everyday especially during this time of the year but they also can't be out there removing everything that people put on the graves before they mow.

Mr. Hassler reiterated that this policy would only apply to a new cemetery and people would know all this before they purchase. It does not apply to the current one. The intent is to get a flat, grassed, watered piece of property that would look very nice.

Vice-Mayor Nedrow stated that they have a flat headstone with a raised flower pot attached as a part of the headstone and it is allowed all the time because they can mow around it. She felt that there would be controversy over not allowing flowers anytime.

Councilman Baca agreed with a statement made by Ms. Knight regarding the cultural heritage in this community. He felt that the flowers would be an issue. People put flowers down year round not just the specific dates listed.

Vice-Mayor Nedrow suggested that dates be posted on a sign as to when mowing would be taking place to give people a chance to remove articles they have placed on the graves then they can return them when the mowing is finished.

Mayor Dyson felt that the answer was to do what other cemeteries do. They have set times and people know when mowing is going to take place. She thought it was more important to restrict rocks and fence barriers and those types of things.

Decision by the Council was for Mr. Hassler to revise some of it.

**13. Adjournment:**

Motion by Mary Nedrow/Kay Dyson to adjourn the meeting.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

The meeting adjourned at 7:40 p.m.

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Kay Dyson, Mayor

ATTEST:

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Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday February 4, 2004. I further certify that the meeting was duly called and a quorum was present.

Dated this 6<sup>th</sup> Day of February 2004

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Town Clerk